



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

400 Seventh Street, S.W.  
Washington, D.C. 20590

JUL 21 2005

Mr. Michael J. Revis  
Owner/Operations Support Group, Inc.  
P.O. Box 58764  
Tukwila, WA 98138

Reference No.: 05-0106

Dear Mr. Revis:

This is in further response and correction to our earlier letter (Reference No.: 05-0106 dated May 6, 2005) concerning the quantity limitations for hazardous materials aboard aircraft in § 175.75 of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You offer "Cartridges, small arms, 1.4S, UN 0012" for international air transportation. The shipment is prepared in accordance with the International Civil Aviation Organization's (ICAO) Technical Instructions. You state that the net quantity per package is below the 25 kg net as required by the ICAO Technical Instructions, but the gross weight of each package is above 30 kg. You ask if you can take advantage of the quantity limitation exception for ORM-D materials in § 175.75(b) when transporting "Cartridges, small arms, 1.4S, UN 0012" under ICAO.

The answer is no if, as you state, the gross weight of each package exceeds 30 kg. United States variation 13 of the ICAO Technical Instructions provides for ORM-D materials, as defined in § 173.144, to be carried aboard passenger aircraft without regard to the quantity limitations specified in § 175.75(b) of the HMR. It does not except ORM-D packages from the maximum gross weight requirement of 30 kg (66 pounds).

You may take advantage of US variation 13 by reducing the maximum gross weight to 30 kg (66 pounds) or less per package and also marking each package "Cartridges, small arms, ORM-D-AIR" in accordance with § 172.316. Each ORM-D package containing "Cartridges, small arms" must meet the requirements in §§ 173.63 and 173.144.

Please contact me if I can be of further assistance.

Sincerely,

Hattie L. Mitchell  
Chief, Regulatory Review and Reinvention  
Office of Hazardous Materials Standards



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11 April 2005

Office of Hazardous Materials Standards  
Research and Special Programs Administration  
Attn: DHM-10  
U.S. Department Of Transportation  
400 - 7<sup>th</sup> Street SW  
Washington DC 20590-0001

Sirs,

I am writing to request clarification on the requirements of 49CFR Part 175.75. Quantity limitations aboard aircraft.

Specifically 49CFR Part 175.75(b) "No limitation applies to the number of packages of Class 9 (miscellaneous hazardous) materials, or ORM-D materials aboard an aircraft."

We are looking at this as it relates to variation US13(d) in the ICAO Technical Instructions.

Variation US13(d) begins "Except for "Other Regulated Materials" as defined in 49CFR 173.144...."

49CFR Part 173.144 states in part ..."It must be a material for which exceptions are provided in the 172.101 table.".....

The material which we are shipping is Cartridges, Small Arms, UN0012.

There is an exception in the 172.101 table for this material. Cartridges, Small Arms ORM-D.  
The per package quantity limitation aboard passenger and cargo only aircraft is 30 kg Gross Weight

The ICAO Technical Instructions do not recognize the ORM-D classification.

Under the provisions of the ICAO Technical Instructions the materials we are shipping would be classified as Cartridges, Small Arms, 1.4S, UN0012 and the per package limitation is 25 kg net quantity.

We understand that the net quantity limitation applies to the weight of the cartridge including casing, lead and propellant.

The material we are shipping is US Army issue ammunition.

This ammunition includes in the package the metal clips the cartridges are mounted in, the steel "ammo can" the clips are packed in and the wood box the "ammo cans" are packed in.

While the "net Quantity" of each package is below the 25 kg net as required by the ICAO Technical Instructions the Gross Weight of each package is above the 30 kg limitation for ORM-D material in the 172.101 table.

The limitation of 25 kg per inaccessible cargo compartment stated in Variation US13(d) means we can only ship 2 boxes aboard a passenger aircraft.

If the exception "Except for "Other Regulated Materials" as defined in 49CFR 173.144...." were applicable we think we would be able to ship the entire amount (more than two packages) at one time.

Even though we would not be able to ship this ammunition as an ORM-D due to the gross weight limitation in 49CFR we feel that since the ammunition itself, regardless of gross weight, is an "Other Regulated Material" as defined in 49CFR 173.144 it could possibly be transported aboard passenger aircraft under the exception allowed in US13(d).

Your clarification of this issue will be greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Revis", followed by a horizontal line.

Michael J. Revis  
Owner / Operations Support Group, Inc.  
206-575-0458